



City of Seattle

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Gregory J. Nickels, Mayor

**Department of Design, Construction and Land Use**

D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

**Application Number:** 2304118

**Applicant Name:** Kelly Shyne

**Address of Proposal:** 710 E Roy Street

**SUMMARY OF PROPOSED ACTION**

Master Use Permit for future expansion of an existing institutional structure (Kerry Hall) for a total of 11,070 square feet in size and the future reduction of the boundaries of the same existing institution from approximately 71,000 to approximately 19,000. Off site parking to be provided at 723 Harvard Ave East.

The following approvals are required:

**Administrative Conditional Use** - To expand the existing institutional structure in a multifamily zone. (Seattle Municipal Code Chapter 23.44.122)

**Administrative Conditional Use** – To reduce the boundaries of an existing institution in a multifamily zone. (Seattle Municipal Code Chapter 23.45.122)

**BACKGROUND DATA**

**Site and Vicinity Description**

The project site is located at 710 E Roy Street between Harvard Ave E and Boylston Ave E in the North Capitol Hill neighborhood of Seattle. The property contains approximately 71,000 square feet of lot area. The site, along with the entire block and is zoned Multifamily Lowrise 3 (L3). Development on the block is a mix of multifamily structures and single family homes.

### Proposal Description

The applicants propose to reduce the boundaries of the existing institution from 71,000 square feet to 19,000 square feet and add a trash and storage enclosure to the western façade of the existing landmark structure. The proposed addition would add approximately 270 square feet bringing the total footprint of Kerry Hall to 11,070 square feet from 10,800 square feet. The proposal also includes the establishment of off site parking at the adjacent development site.

### Public Comment

No comment letters were received during the official public comment period, which ended July 30, 2003.

### **ANALYSIS - ADMINISTRATIVE CONDITIONAL USE (SMC 23.45.116)**

The Land Use Code allows the expansion of existing institutions in residential zones through the administrative conditional use process. This proposal is subject to the development standards outlined in section 23.45.116 of the Seattle Municipal Code (SMC). The director's decision has the authority to approve, condition or deny a conditional use application. This decision shall be based on the whether the proposed expansion will be materially detrimental to the public welfare or injurious to property. The applicable criteria used for evaluating and or conditioning the applicant's proposal are discussed below.

#### A. Bulk and Siting

*In order to accommodate the special needs of the proposed institution, and to better site the facility with respect to its surroundings, the Director may modify the applicable development standards for modulation, landscaping, provision of open space, and structure width, depth and setbacks.*

According to the plans submitted with the application, the existing Kerry Hall structure is nonconforming with regards to structure depth, width, modulation, landscaping, open space and setbacks. The administrative conditional use criteria grants the authority to approve, condition or deny an application if it proposal is detrimental to the public welfare or injurious to the property.

Reducing the lot size of this institution will not be a detriment to the public. Currently the institutional boundaries encompass, Kerry Hall, three single family homes that were converted to offices separated by a surface parking lot along Harvard Ave E. The location of the surface parking lot created a visual separation which gave the illusion that the Kerry Hall building was on a lot of its own. Allowing this site to maintain the nonconformities it has had since construction was complete in 1914 would be in the best interest of the public welfare in addition to preserving the historic character of the building. However additions to the building to improve the structural integrity and allow egress from the second story cross that historical boundary effectively joining the development sites together. To legally separate the institution requires new property lines and new institutional boundary to be created. The new property line will be created through a formal platting action and may have a zero setback from the Kerry Hall

structure and its attachments. Completing this ACU application will establish the institutional boundary to a site which only encompass the Kerry Hall building confirming the visual separation already present.

The addition of a small one-story trash enclosure will minimally increase the width and reduce the side setback of the structure while in turn shielding from public view the trash and recycling dumpsters which have sat in surface parking lot for years. Although an ACU application cannot grant the use of the street right-of-way, only Seattle Department of Transportation has such authority, it can condition, deny or approve the design. The conceptual design of the proposed trash enclosure has not only been carefully sculpted to compliment the unique characteristics of the Kerry Hall building but also received approval of the Harvard/Belmont Landmark Review Board (LPB 241/03). As a result allowing the addition to expand the structures nonconformity to structure width, and reduce the side setback is in best interest of the public.

Kerry Hall requires 44 parking spaces. In the current institutional configuration of the site there are approximately 35 parking spaces available for faculty, staff, and visitors to use. The adjacent development site has set aside 50 parking spaces for the sole use of Kerry Hall. These spaces will be located in a garage which will be accessible from Boylston Ave E and be available during the business hours Cornish College provides for the Kerry Hall building. Providing these 50 off-site parking spaces in a below grade garage will be a benefit to the College and surrounding vicinity by shielding parking from public view and increasing the quantity of spaces available.

B. Dispersion

*An institution which does not meet the dispersion criteria of Section 23.45.102 may be permitted by the Director upon determination that it would not substantially aggravate parking shortages, traffic safety hazards, and noise in the surrounding residential area.*

The dispersion criteria of section 23.45.102 states that the lot line of any new or expanding institution shall be six hundred feet or more from any lot line of another institution on a residentially zoned property. At this location there are no other institutions within 600' of the project site.

C. Noise

*The Director may condition the permit in order to mitigate potential noise problems.*

The reduction of boundary line and addition of a trash enclosure will not increase the noise of the Kerry Hall building.

D. Transportation Plan

*A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of structure area and/or required to provide twenty (20) or more parking spaces.*

The proposed actions did not require a transportation plan because it was not because the addition was not greater than 4,000 square feet and did not require additional parking.

### **DECISION - ADMINISTRATIVE CONDITIONAL USE**

The conditional use application is **APPROVED WITH CONDITIONS** as indicated at the end of this document.

### **CONDITIONS - ACU**

1. To complete the site separation begun by this ACU application a lot boundary adjustment or similar platting action is required to legally adjust the property lines between the institution, Kerry Hall and the adjacent property to north, known as the Harvard Estates. Until such a platting act is complete and recorded with the King County Records office these two sites shall be considered one property.

Signature: (signature on file) Date: September 11, 2003  
Glenda Warmoth, Land Use Planner  
Department of Design, Construction and Land Use  
Land Use Services